

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CONSTELLATION NEWENERGY INC.,

Plaintiff,

-V-

WEST SIDE MANHATTAN REAL ESTATE LLC,

Defendant..

20-CV-8448 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

As discussed, and for the reasons stated, on the record at the conference conducted by telephone earlier today:

- Plaintiff is granted leave to amend the First Amended Complaint, ECF No. 12, to properly plead the existence of subject-matter jurisdiction pursuant to 28 U.S.C. § 1332.
- If Plaintiff determines that complete diversity between the parties does in fact exist, it shall file a Second Amended Complaint **no later than December 10, 2020**. If the parties are unable to determine whether complete diversity exists by that date, the parties shall file a joint letter proposing a path forward for resolving this question.

SO ORDERED.

Dated: November 19, 2020  
New York, New York

*Jan Jan*

JESSE M. FURMAN  
United States District Judge